

03-1579-CD

TIMOTHY R. WILLIAMS, SR. vs. CARN'S EQUIPMENT COMPANY et al.

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO.

03-1579-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

Carns Equipment Company and Jeffrey Carns

46-3-02

NAME OF APPELLANT

164 Nelson Road

ADDRESS OF APPELLANT

Clearfield

CITY

PA

STATE

16830

ZIP CODE

9-29-03

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

9-29-03

Timothy Williams Sr.

vs. Carns Equipment Company and Jeffrey

CLAIM NO.

Carns

CV 0000310-03

LT

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

Quinton Sates

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Timothy R. Williams, Sr., appellee(s), to file a complaint in this appeal
 Name of appellee(s)

(Common Pleas No. 03-1579-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Quinton Sates
Signature of appellant or his attorney or agent

RULE: To Timothy R. Williams, Sr., appellee(s).
 Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Oct. 21, 2003*William A. Shaw*

Signature of Prothonotary or Deputy

FILED

OCT 21 2003

William A. Shaw
 Prothonotary/Clerk of Courts

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS. _____

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____
 by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA
Telephone: **(814) 765-5335**

16830

CARNS EQUIPMENT COMPANY
163 NELSON ROAD
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

WILLIAMS, SR., TIMOTHY R.
1723 WALLACETON/BIGLER
WEST DECATUR, PA 16878

NAME and ADDRESS

DEFENDANT:

CARNS EQUIPMENT COMPANY, ET AL.
163 NELSON ROAD
CLEARFIELD, PA 16830

VS.

NAME and ADDRESS

Docket No.: **CV-0000310-03**
Date Filed: **8/11/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **WILLIAMS, SR., TIMOTHY R.**

Judgment was entered against: (Name) **CARNS, JEFFREY**

in the amount of \$ **2,849.60** on: (Date of Judgment) **9/29/03**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical
damages arising out of residential
lease \$ _____

| | |
|----------------------|--------------------|
| Amount of Judgment | \$ 2,734.00 |
| Judgment Costs | \$ 115.60 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |
| Total | \$ 2,849.60 |

| | |
|--------------------------|----------|
| Post Judgment Credits | \$ _____ |
| Post Judgment Costs | \$ _____ |
| ===== | |
| Certified Judgment Total | \$ _____ |

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

SEP 29 2003 Date Ronald Ireland, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, District Justice

My commission expires first Monday of January, **2006**.

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

M&g. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA
Telephone: **(814) 765-5335** **16830**

CARNS EQUIPMENT COMPANY
163 NELSON ROAD
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

WILLIAMS, SR., TIMOTHY R.
1723 WALLACETON/BIGLER
WEST DECATUR, PA 16878

NAME and ADDRESS

DEFENDANT:

CARNS EQUIPMENT COMPANY, ET AL.
163 NELSON ROAD
CLEARFIELD, PA 16830

NAME and ADDRESS

Docket No.: **CV-0000310-03**
Date Filed: **8/11/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **WILLIAMS, SR., TIMOTHY R.**

Judgment was entered against: (Name) **CARNS EQUIPMENT COMPANY**

in the amount of \$ **2,849.60** on: (Date of Judgment) **9/29/03**

Defendants are jointly and severally liable.

(Date & Time) _____

Damages will be assessed on:

| | |
|----------------------|--------------------|
| Amount of Judgment | \$ 2,734.00 |
| Judgment Costs | \$ 115.60 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |
| Total | \$ 2,849.60 |

This case dismissed without prejudice.

| | |
|---------------------------------|----------|
| Post Judgment Credits | \$ _____ |
| Post Judgment Costs | \$ _____ |
| ===== | |
| Certified Judgment Total | \$ _____ |

Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical
damages arising out of residential
lease \$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

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UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

SEP 29 2003 Date Richard Ireland, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, District Justice

My commission expires first Monday of January, 2006.

SEAL

FILED Copies to Atty Gates
Oct 3, 2003
Atty pd. 85.00

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TIMOTHY R. WILLIAMS, SR.,
Plaintiff
vs.
CARN'S EQUIPMENT COMPANY and
JEFFREY CARN'S,
Defendants

No. 03- 1579 -CD

Type of Case: Civil

Type of Pleading: Praeclipe
for Entry of Appearance

Filed on behalf of: Defendants

Counsel of Record for this
Party:
Andrew P. Gates, Esquire

Supreme Court No.: 36604

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED

OCT 21 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TIMOTHY R. WILLIAMS, SR. :
Plaintiff : No. 03- -CD
:
-vs- :
:
CARN'S EQUIPMENT COMPANY and :
JEFFREY CARN'S, :
Defendants :
:

PRAECIPE

TO WILLIAM A. SHAW, PROTHONOTARY:

Please enter my appearance on behalf of Defendants, Carns Equipment Company and Jeffrey Carns, in the above-captioned matter.

GATES & SEAMAN

BY: 
Andrew P. Gates, Esquire

Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

Date: October 21, 2003, 2003

FILED 10
08/23/2003 CC
OCT 2 2003 cont'd
85

William A. Shaw
Prothonotary/Clerk of Courts

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD ; SS

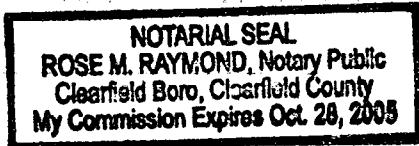
AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 03-1579-CD, upon the District Justice designated therein on (date of service) October 22, 2003. by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Timothy Williams, Sr., on October 22, 2003. by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on October 22, 2003. by personal service by (certified) (registered) mail, sender's receipt attached hereto.

WORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS 24th DAY OF October, 2003

Rose M. Raymond
Notary Public



5

Walter E. Sato

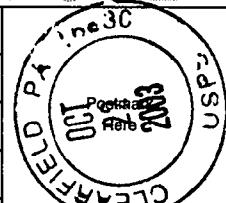
Signature of affiant

FILED
01/14/2003
OCT 24 2003 No. Cr

William A. Shaw
monotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|--|-----|
| U.S. Postal Service™ | |
| CERTIFIED MAIL™ RECEIPT | |
| <i>(Domestic Mail Only; No Insurance Coverage Provided)</i> | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| Certified Fee | 267 |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |



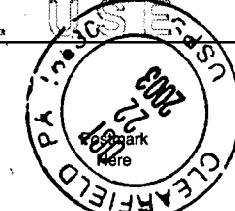
30
Postage Paid
Rate
30

CLERFIELD PA
U.S.P.S.

Sent To
 District Justice Richard A. Ireland
 Street, Apt. No.;
 or PO Box No. 650 Leonard Street, Suite 133
 City, State, ZIP+4
 Clearfield, PA 16830

Form 3800, June 2002

See Reverse for Instructions

| U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i> | |
|--|----|
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| 2.67 | |
| Certified Fee | |
| | |
| Return Receipt Fee (Endorsement Required) | |
| | |
| Restricted Delivery Fee (Endorsement Required) | |
| | |
| Total Postage & Fees | \$ |
| <p><i>Sent To</i></p> <p>Mr. Timothy R. Williams, Sr. Street, Apt. No.; or PO Box No. 1723 Wallacetton/Bigler Highway City, State, ZIP+4 West Decatur, PA 16878</p> | |
|  | |

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO.

03-1579-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

Carns Equipment Company and Jeffrey Carns

46-3-02

NAME OF APPELLANT

MAG. DIST. NO. OR NAME OF D.J.

164 Nelson Road

Clearfield

PA

16830

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

Sept 29, 2003

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

9-29-03

Timothy Williams Sr.

vs. Carns Equipment Company and Jeffrey

Carns

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV 0000310-03

LT () -

John Sato

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No.

1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Timothy R. Williams, Sr., appellee(s), to file a complaint in this appeal
 Name of appellee(s)

(Common Pleas No. 03- 1579 -CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

John Sato
 Signature of appellant or his attorney or agent

RULE: To Timothy R. Williams, Sr., appellee(s).
 Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Oct. 21, 2003

John Sato
 Signature of Prothonotary or Deputy

COURT FILE

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA

Telephone: **(814) 765-5335**

16830

RICHARD A. IRELAND
650 LEONARD STREET
SUITE 133
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS
WILLIAMS, SR., TIMOTHY R.
1723 WALLACETON/BIGLER
WEST DECATUR, PA 16878

DEFENDANT:

NAME and ADDRESS
CARNS EQUIPMENT COMPANY, ET AL.
163 NELSON ROAD
CLEARFIELD, PA 16830

Docket No.: **CV-0000310-03**
Date Filed: **8/11/03**



03-1579-CD

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **WILLIAMS, SR., TIMOTHY R.**

Judgment was entered against: (Name) **CARNS EQUIPMENT COMPANY**

in the amount of \$ **2,849.60** on: (Date of Judgment) **9/29/03**

Defendants are jointly and severally liable.

FILED (Date & Time) **01/10/35/04**

Damages will be assessed on:

NOV 21 2003

| | | |
|-----------------------------|----------------------|--------------------|
| William A. Shaw | Amount of Judgment | \$ 2,734.00 |
| Prothonotary/Clerk of Court | Judgment Costs | \$ 115.60 |
| | Interest on Judgment | \$.00 |
| | Attorney Fees | \$.00 |
| | Total | \$ 2,849.60 |

This case dismissed without prejudice.

| | |
|--|------------------------------------|
| Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ | Post Judgment Credits \$ |
| | Post Judgment Costs \$ |
| | ===== |
| | Certified Judgment Total \$ |

Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$

Portion of Judgment for physical
damages arising out of residential
lease \$

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

SEP 29 2003 Date Richard Ireland, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

OCT 23 2003 Date Richard Ireland, District Justice

My commission expires first Monday of January, 2006 .

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
SUITE 133
CLEARFIELD, PA
Telephone: **(814) 765-5335**

16830

RICHARD A. IRELAND
650 LEONARD STREET
SUITE 133
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

WILLIAMS, SR., TIMOTHY R.
1723 WALLACETON/BIGLER
WEST DECATUR, PA 16878

NAME and ADDRESS

DEFENDANT:

CARNS EQUIPMENT COMPANY, ET AL.
163 NELSON ROAD
CLEARFIELD, PA 16830

NAME and ADDRESS

Docket No.: **CV-0000310-03**
Date Filed: **8/11/03**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) WILLIAMS, SR., TIMOTHY R.

Judgment was entered against: (Name) CARNS, JEFFREY

in the amount of \$ 2,849.60 on: (Date of Judgment) 9/29/03

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

| | |
|--------------------------|--------------------|
| Amount of Judgment | \$ <u>2,734.00</u> |
| Judgment Costs | \$ <u>115.60</u> |
| Interest on Judgment | \$ <u>.00</u> |
| Attorney Fees | \$ <u>.00</u> |
| Total | \$ <u>2,849.60</u> |
| Post Judgment Credits | \$ _____ |
| Post Judgment Costs | \$ _____ |
| ===== | |
| Certified Judgment Total | \$ _____ |

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

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SEP 29 2003 Date Ricardo Ireland, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

OCT 23 2003 Date Ricardo Ireland, District Justice

My commission expires first Monday of January, **2006**.

SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TIMOTHY R. WILLIAMS, SR. :
Plaintiff : No. 03- 1579 -CD
:
-vs- :
CARN'S EQUIPMENT COMPANY and :
JEFFREY CARN'S, :
Defendants : NOV 25 2003

FILED

NOV 25 2003

PRAECIPE FOR JUDMGENT OF NON PROS

William A. Shaw
Prothonotary/Clerk of Courts

TO WILLIAM A. SHAW, PROTHONOTARY:

Pursuant to Pa. R.C.A. 1037(a), kindly enter judgment of non pros in favor of Defendants, Carns Equipment Company and Jeffrey Carns, and against Plaintiff, Timothy R. Williams, Sr. for Plaintiff's failure to file a Complaint despite a Rule being entered upon and served upon said Plaintiff to do so.

It is certified that a written notice of intention to file this Praecipe, as required by Pa. R.C.P. 237.1(a)(2)(i), was mailed to Timothy R. Williams, Sr., the Plaintiff against whom said judgment is to be entered, more than twenty (20) days after the Rule to file a Complaint was served upon him and at least ten (10) days prior to the date of the filing of this Praecipe. A photocopy of said notice and U.S. Postal Service Form 3817 indicating that said notice was mailed to Plaintiff on November 13, 2003, are attached hereto and made a part hereof, collectively, as Exhibit "A".

GATES & SEAMAN

BY: *Andrew Gates*

Andrew P. Gates, Esquire
Attorney for Defendants

Date: November 25, 2003

Two North Front Street, P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

Judgment of non pros entered in favor of Defendants, Carns Equipment Company and Jeffrey Carns and against Plaintiff, Timothy R. Williams, Sr.

Date: 11/25/03

William A. Shaw

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TIMOTHY R. WILLIAMS, SR.

Plaintiff

: No. 03- 1579 -CD

-vs-

CARNS EQUIPMENT COMPANY and
JEFFREY CARNS,

Defendants

:

TO: Plaintiff, Timothy R. Williams, Sr.
1723 Wallaceton/Bigler Highway
West Decatur, PA 16878

DATE OF NOTICE: November 13, 2003

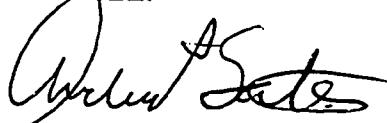
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholic, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

GATES & SEAMAN

By:



Andrew P. Gates, Esquire,
Attorney for Defendants

P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

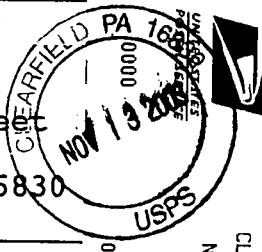
U.S. POSTAL SERVICE

CERTIFICATE OF MAILING

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:

GATES & SEAMAN
2 North Front Street
P.O. Box 846
Clearfield, PA 16830



One piece of ordinary mail addressed to:

Timothy R. Williams, Sr.
1723 Wallaceton/Bigler Highway
West Decatur, PA 16878

00068233-07
\$0.90
U.S. POSTAGE
PAID
CLEARFIELD, PA
NOV 13 2003
AMOUNT

EXHIBIT "A"

FILED
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William A. Shaw
Prothonotary/Clerk of Courts

